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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

SILVER STATE INTELLECTUAL
TECHNOLOGIES, INC., a Nevada
corporation,

Plaintiff/Counterdefendant,

v.

GARMIN INTERNATIONAL, INC., a
Kansas corporation, and GARMIN USA,
INC., a Kansas corporation,

Defendants/Counterclaimants.

Case No. 2:11-cv-1578-GMN-PAL

**STIPULATION AND ORDER
RELATING TO TRIAL
PROCEDURES**

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1 IT IS HEREBY STIPULATED AND AGREED by and between counsel for plaintiff
2 Silver State Intellectual Technologies, Inc. ("Silver State") and defendants Garmin
3 International, Inc. and Garmin USA, Inc. (collectively "Garmin") in relation to the trial in the
4 above-captioned case set to begin May 11, 2015:

5 1. The parties shall exchange demonstratives, slides, or deposition excerpts they
6 intend to use in opening statements by 1:00 p.m. on the day before start of trial. The parties will
7 meet and confer to discuss any objections to such demonstrative exhibits, slides, or deposition
8 excerpts to be used in opening statements no later than 8:00 p.m. on the day before start of trial.

9 2. Each side will provide by e-mail to opposing counsel a list of witnesses (in order)
10 intended to be called for direct examination or by deposition by 8 p.m. two days before the
11 witness will be presented (e.g. if a witness is to testify on Wednesday, the witness must be
12 disclosed by 8:00 p.m. Monday).

13 3. By 7:00 p.m. the day before direct examination of a witness is to be offered, the
14 party offering the direct testimony will provide by e-mail to opposing counsel a list of all exhibit
15 numbers and a copy of any demonstratives intended to be used during the direct examination.
16 The receiving party shall identify any objections to the exhibits and demonstratives so identified
17 by 9:00 pm, and the parties shall meet and confer regarding such objections in sufficient time
18 that any outstanding issues can be raised with the Court before the witness in question testifies.

19 4. By 8:00 p.m. two days before deposition testimony for a witness is offered at trial,
20 other than if solely for impeachment, the party presenting the deposition video clips shall provide
21 opposing counsel with a copy of the proposed video by electronic transfer (e.g. if deposition
22 testimony is to be played on Wednesday, the video must be provided by 8:00 p.m. Monday by
23 electronic transfer such as, for example, FTP or e-mail), along with a listing of the transcript
24 designations that correspond to the proposed video clip. The receiving party shall identify any
25 objections to the deposition testimony so identified by 10:00 pm the same day it is provided, and
26 the parties shall meet and confer regarding such objections in sufficient time that any outstanding
27 issues can be raised with the Court before the deposition testimony in question is offered.

1 5. Each side's video deposition designations, counter-designations, and counter-
2 counter-designations for a witness appearing by deposition will be played at the time that the
3 witness is called, provided such procedure is acceptable to the Court.

4 6. By 6:00 p.m. the night before it intends to rest its case, the resting party shall give
5 the other party notice of its intention to rest. This notice is intended so that the parties have an
6 opportunity to comply with the other provisions of this order.

7 7. The parties shall meet and confer regarding mutually agreed-upon times and
8 procedures to exchange demonstrative or slides they intend to use in closing statements and any
9 objections before the intended use.

10 8. The parties need not exchange demonstratives for use in closing statements if
11 those demonstratives have previously been used before.

12 9. Demonstratives exchanged will not be used by the opposing party prior to being
13 used by the disclosing party.

14 10. The notice provisions regarding demonstratives shall not apply to demonstrative
15 exhibits created in the courtroom during testimony at trial or to the enlargement or highlighting
16 of trial exhibits that have been admitted in evidence or trial testimony. Mere enlargement,
17 ballooning (enlargement of a portion of a document) or highlighting of trial exhibits admitted in
18 evidence or trial testimony does not create a demonstrative exhibit.

19 11. Exhibits to be used during cross examination or offered into evidence solely for
20 impeachment need not be disclosed in advance of being used at trial.

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1 Dated this 9th day of May, 2015.

2 PAUL, WEISS, RIFKIND,
3 WHARTON & GARRISON LLP

4 By: /s/ Nicholas Groombridge
5 Nicholas Groombridge (admitted *pro hac*
6 *vice*)

Jenny C. Wu (admitted *pro hac vice*)

6 Matthew C. Zorn (admitted *pro hac vice*)

Philip S. May (admitted *pro hac vice*)

7 PAUL, WEISS, RIFKIND,
8 WHARTON & GARRISON LLP

1285 Avenue of the Americas
New York, NY 10019

9 David K. Stark (admitted *pro hac vice*)

10 PAUL, WEISS, RIFKIND,
11 WHARTON & GARRISON LLP

2001 K Street NW
Washington, DC 20006

12 Adam P. Seitz (admitted *pro hac vice*)

13 Abran J. Kean (admitted *pro hac vice*)

Paul R. Hart (admitted *pro hac vice*)

14 ERISE IP, P.A.
15 6201 College Blvd., Suite 300
Overland Park, KS 66211

16 James J. Pisanelli, Esq., #4027

Jordan T. Smith, Esq., #12097

17 PISANELLI BICE PLLC

400 South 7th Street, Suite 300

18 Las Vegas, Nevada 89101

19 Attorneys for Defendants

Dated this 9th day of May, 2015.

KNOBBE, MARTENS, OLSON & BEAR LLP

BY: /s/ Frederick S. Berretta

Frederick S. Berretta (admitted *pro hac vice*)

Loni Schutte (admitted *pro hac vice*)

KNOBBE, MARTENS, OLSON & BEAR LLP

12790 El Camino Real

San Diego, CA 92130

Craig Summers (admitted *pro hac vice*)

Brenton R. Babcock (admitted *pro hac vice*)

Marko R. Zoretic (admitted *pro hac vice*)

KNOBBE, MARTENS, OLSON & BEAR LLP

2040 Main Street, 14th Floor

Irvine, CA 92614

Ioanna S. Bouris (admitted *pro hac vice*)

KNOBBE, MARTENS, OLSON & BEAR LLP

10100 Santa Monica Boulevard, Suite 1600

Los Angeles, CA 90067

Jeffrey A. Silverstri #5779

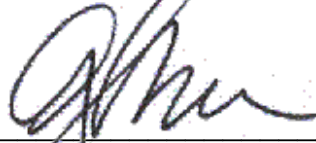
MCDONALD CARANO WILSON LLP

2300 West Sahara Avenue., Suite 1000

Las Vegas, Nevada 89102

Attorneys for Plaintiff

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21 **IT IS SO ORDERED.**

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24 Gloria M. Navarro, Chief Judge
United States District Court

25 **DATED: 05/11/2015**
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